

Adopted	Rejected
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COMMITTEE REPORT

YES:	6
NO:	3

MR. SPEAKER:

*Your Committee on Roads and Transportation, to which was referred House Bill 1416, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 9-24-6-2, AS AMENDED BY P.L.188-2006,
- 4 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2009]: Sec. 2. (a) The bureau shall adopt rules under
- 6 IC 4-22-2 to regulate persons required to hold a commercial driver's
- 7 license.
- 8 (b) The rules must carry out 49 U.S.C. 521, 49 U.S.C. 31104, 49
- 9 U.S.C. 31301 through 31306, 49 U.S.C. 31308 through 31317, and 49
- 10 CFR 383 through 384, and may not be more restrictive than the federal
- 11 Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public Law
- 12 ~~106-159, 113~~ **106-159, 113** Stat. 1748).
- 13 (c) Rules adopted under this section must include the following:
- 14 (1) Establishment of classes and periods of validation of

- 1 commercial driver's licenses.
- 2 (2) Standards for commercial driver's licenses, including
- 3 suspension and revocation procedures.
- 4 (3) Requirements for documentation of eligibility for legal
- 5 employment, as set forth in 8 CFR 274a.2, and proof of Indiana
- 6 residence.
- 7 (4) Development of written or oral tests, driving tests, and fitness
- 8 requirements.
- 9 (5) Defining the commercial driver's licenses by classification and
- 10 the information to be contained on the licenses, including a
- 11 unique identifier of the holder.
- 12 (6) Establishing fees for the issuance of commercial driver's
- 13 licenses, including fees for testing and examination.
- 14 (7) Procedures for the notification by the holder of a commercial
- 15 driver's license to the bureau and the driver's employer of
- 16 pointable traffic offense convictions.
- 17 (8) Conditions for reciprocity with other states, including
- 18 requirements for a written commercial driver's license test and
- 19 operational skills test, and a hazardous materials endorsement
- 20 written test and operational skills test, before a license may be
- 21 issued. **The rules must carry out 49 CFR 383.71(b) with**
- 22 **respect to an application for a commercial driver's license for**
- 23 **a holder of a commercial driver's license in another state who**
- 24 **seeks a transfer of the commercial driver's license to Indiana.**
- 25 (9) Other rules necessary to administer this chapter.
- 26 (d) 49 CFR 383 through 384 are adopted as Indiana law."
- 27 Page 2, after line 16, begin a new paragraph and insert:
- 28 "SECTION 3. [EFFECTIVE UPON PASSAGE] (a) **As used in this**
- 29 **SECTION, "bureau" means the bureau of motor vehicles created**
- 30 **by IC 9-14-1-1.**
- 31 (b) **Notwithstanding IC 9-24-6-2(c)(8), as amended by this act,**
- 32 **the bureau, under interim written guidelines approved by the**
- 33 **commissioner of the bureau, shall provide that, after June 30, 2009,**
- 34 **an application for a commercial driver's license for a holder of a**
- 35 **commercial driver's license from another state be conducted in**
- 36 **accordance with 49 CFR 383.71(b).**
- 37 (c) **This SECTION expires on the earlier of the following:**
- 38 (1) **The date rules are adopted under IC 9-24-6-2(c)(8), as**

- 1 **amended by this act.**
- 2 **(2) December 31, 2010.**
- 3 **SECTION 4. An emergency is declared for this act."**
- 4 Renumber all SECTIONS consecutively.
(Reference is to HB 1416 as introduced.)

and when so amended that said bill do pass.

Representative Austin